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## GREENFIELDS IRRIGATION DISTRICT

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May 24, 2004

Dockets Management System  
U.S. Department of Transportation  
Room PL-401  
400 Seventh Street, S.W.  
Washington, D.C. 20590-0001

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U.S. DEPARTMENT OF TRANSPORTATION  
DOCKETS

Re: Comments for RSPA-04-17167 - 3

Greenfields Irrigation District is located in central Montana 35 miles west of Great Falls. We supply irrigation water to 83,000 acres of farmland consisting of malting barley, alfalfa, spring and winter wheat, and grassland pasture. In the areas we supply water to, acrolein is used for the control of aquatic weeds and algae in irrigation canals under the trade name, MAGNACIDE H Herbicide. It is a vital tool in controlling submersed aquatic weeds and algae to allow for the efficient operation of irrigation systems. Local farmers rely on these irrigation systems to irrigate their crops. If the control of submersed aquatic weeds is interrupted, the water deliveries will decrease, thus disrupting irrigation operation throughout our delivery system. At this time we are experiencing a serious drought. We must supply our reduced amount of water as efficiently as possible. As the end users of acrolein, our customers are dependent on the efficient supply of irrigation water to maintain our operations. With the current economic downturn impacting the agriculture industry significant additional operating costs would be difficult to pass along to our water users.

Baker Petrolite maintains the only pesticide registration with the U.S. Environmental Protection Agency for acrolein as an aquatic herbicide. There are no other alternatives available that work in the manner in which MAGNACIDE H does in flowing irrigation water.

For many years we have received acrolein in 4BW240 cylinders, which are manufactured of carbon steel. Over the years we have developed our safety program and operations to utilize these cylinders. Converting our operations to utilize another form of packaging would be a major expense that would ultimately impact our customers. The current size of the 4BW240 cylinders provide a volume of material that is appropriate for the applications for which they are used. This allows the fewest number of connections and disconnections for application equipment, and thus the lowest risk to our personnel. The cylinder dimensions allow the personnel to install application equipment and to operate the related valving at a safe and comfortable height. Any change in design will impact our application equipment, procedures, and established safety programs with acrolein.

Due to the nature of acrolein, great efforts have been made in equipment design, maintenance, and inspection, as well as in the training to ensure the safety of all involved in the application of acrolein.

Based on our discussions with Baker Petrolite, to manufacture the new specification 3B cylinders would be very expensive and they can not be constructed to meet applicator safety requirements. A new specification 3B cylinder manufactured to hold a comparable amount of liquid needed for applications would be between 6 and 7 feet tall, which is too tall to work with safely in the field. The other choice is to require the use of a drum in a drum container. These types of containers are bulky and difficult to handle. Furthermore, the structural integrity of the drum in a drum is no comparison to that of the 4BW240 cylinder.

We also feel strongly that the pressure relief device utilized by Baker Petrolite should remain in place at all times for the highest level of safety.

G.I.D. believes that there should be regulatory flexibility from the recently revised 49 CFR 173.226 (a) as well as other provisions within 49 CFR 173.40. Acrolein has been shipped in 4BW240 cylinders without risk to property and safety for many years. The impact that 49 CFR 173.226 (a) has placed on our supplier of acrolein to obtain 3B "seamless" cylinders will increase costs, minimize safety, and ultimately effect our operations. We applaud your efforts in increasing the safety of transporting hazardous materials that are Poisonous by Inhalation. We ask your assistance in carefully evaluating the impacts that the change in cylinder specifications will have on small businesses of the agricultural industry that utilize acrolein. We are receptive to finding the safest and most practical resolution to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Hardin", with a stylized flourish at the end.

Bob Hardin

Manager, Greenfields Irrigation District